

*Application No. 10/666,259 (SIGLER)  
Amendment dated June 23, 2004  
Reply to Action of May 24, 2004*

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**REMARKS under 37 C.F.R. §1.111**

**Election of Species**

The Examiner has required Applicant to "elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable."

Applicant elects the species of Group 1 - "A method of playing a game including the step of issuing a penalty when the pitcher delivers a pitch other than a fastball as claimed in claim 2" for prosecution in the event that no generic claim is finally held to be allowable.

**Formal Matters**

New claims 49-86 have been added. Claims 1-86 are now pending in the application.

No new matter has been added by the amendments made herein. New claims 49-86 find support in corresponding claims 3-40.

Claims 49-86 depend from claim 2, and contain all limitations thereof. Claims 49-86 thus read on the elected species.

Applicant reserves the right to file further applications claiming subject matter described in this application but not defined by the claims set out herein.

In view of the above remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issuance.

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Applicant's undersigned attorney may be reached in our Toronto office by telephone at (416) 865.7951. All correspondence should continue to be directed to our below-listed address.

Yours very truly,



June 23, 2004  
Date

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